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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,063	08/24/2001	Sean Conor Wrycraft	5681-03400	4245

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B. Noel Kivlin  
Conley, Rose, & Tayon, P.C.  
P.O. Box 398  
Austin, TX 78767

EXAMINER

PRASAD, CHANDRIKA

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 06/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/939,063

Applicant(s)

WRYCRAFT, SEAN

Examiner

Chandrika Prasad

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 23 April 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Amendment***

1. The reply filed on 04/23/02 consists of amendments to Claims 1, 6, 7, 8, 12, 13, 15; addition of new claims 17-21; changes in the drawings, changes in the specification and remarks related to rejection of claims. The claims are not allowable as explained below.

### ***Oath/Declaration***

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The filing date of the prior foreign application is incorrect. It should be 01/09/01.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the back plane, an engaging projection or a lever mounted on the back plane, the first part of the connector, the second part of the connector and a lever mounted on the back plane must be shown or the feature(s) canceled from the claims 1-6, 10-12, 15-16 and 19-21. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Objections***

5. Claims 1-6 are objected to because of the following informalities:

- Claim 1, line 9: insert "of" between "other" and "said".
- Claim 1, line 15: insert "said" between "to" and "back plane".

Appropriate correction is required.

6. Claims 7-18 are objected to because of the following informalities:

These claims imply that the engaging projection is mounted on either the circuit board or the back plane. The engaging projection (18 of the prior art or 42 of the instant invention) is actually mounted on a support rail 6 of the prior art or chassis (which include a support rail and a back plane) 6' of the instant invention. Furthermore, the second part of the connector is mounted on the back plane. These features should be clearly pointed out in these claims.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1-6 and 19-21 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably

convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

An engaging projection or a lever mounted on the back plane has been neither described in the specification nor shown in the drawings.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 7-9 and 13-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claims 7-9 and 13-17 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: location of the engaging portion and the second part of the connector.

*Note: For the purposes of this analysis, it has been assumed that the lever or the engaging projection is provided on the housing (chassis) which contains a support rail and/or a back plane.*

### ***Claim Rejections - 35 USC § 102***

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 1, 2, 5-9 and 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Wright (EP 0 699 019).

Wright (Figures 1-9) shows an electrical assembly having a mechanism for ejecting a multi-pin connector (or a first part of a connector) on a circuit board 3' from a multi-channel socket connector (or a second part of the connector) on housing 7. A lever arm 9 pivotally mounted to the circuit board via a support block 2 engages a projection (lip) 6 on the housing. The lever is biased to an open position by a spring 8. When the lever is moved from the open position to a closed position, it applies an engaging force. A resiliently deformable spring 15 connected to a rigid member (the support block) and a pivot pin of the lever provides a flexible coupling between the lever and the engaging projection. It further allows relative movement (sliding motion) and an engaging force urging the circuit board towards the socket in the back plane.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 3, 4, 10-12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright (EP 0 699 019).

Wright shows all the features of these claims as described in Paragraph 13 above except the lever mounted on the housing and the engaging projection mounted on the circuit board. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to mount the lever on the housing and the engaging projection on the circuit board instead of mounting the lever on the circuit board and the projection on the

Art Unit: 2839

housing because this would require a mere rearrangement of parts which involves only routine skill in the art. In re Japiske, 86 USPQ 70.

***Response to Arguments***

16. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection. Wright shows a flexible coupling which assists the insertion of a connector on a circuit board to a mating connector in the housing.

***Conclusion***

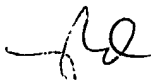
17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hristake also shows a spring providing a resilient coupling between a pivotally mounted lever and a pawl such that pivoting the lever from one position to the other biases the pawl into engagement and assists insertion of a board into a rack.

***Contact Information***

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad at (703) 308-0977.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus, can be reached at (703) 308-3119. The fax number for this Group is (703) 872-9318 (general) and (703) 872-9319 for after-final.

Any inquiry of a general nature should be directed to the Group receptionist at (703) 308-1782.



Chandrika Prasad

June 20, 2002